

**IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION**

**IN RE: TED ANDREW UPSHAW
DEBTOR**

NO.: 4:19-BK-15761

CHAPTER 13

**MTGLQ INVESTORS, L.P.,
MOVANT,**

JUDGE: RICHARD D. TAYLOR

VS.

**TED ANDREW UPSHAW, AND
MARK T. MCCARTY, TRUSTEE,
RESPONDENTS,**

AGREED ORDER GRANTING RELIEF FROM THE STAY

From the statements of counsel, the Court finds and orders as follows:

1. This cause came before the court upon Motion for Relief from Automatic Stay with respect to certain property of the Debtor's described as **1609 Marlar Drive, Sherwood, AR 72120** (the "Collateral").
2. The Debtor and the Chapter 13 Trustee agree that the automatic stay should be lifted as to the Collateral.
3. Movant shall account for and remit to the Trustee any surplus over the balance of the amount due to Movant that may be realized upon liquidation of the collateral, along with an accounting.
4. Relief from the automatic stay will survive conversion to any other chapter under Title 11 of the United States Code.
5. The notice requirements under Rule 3002.1 of the Federal Rules of Bankruptcy Procedure cease to apply with respect to the Collateral in the instant bankruptcy case.
6. The 14-day stay of Bankruptcy Rule 4001(a)(3) is waived.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED on the conditions set forth herein that Movant is granted immediate relief from the automatic stay so that Movant may pursue its usual state remedies as to the Collateral.

IT IS SO ORDERED.



The Honorable Richard D. Taylor
United States Bankruptcy Judge

Date: September 3, 2020

/S/ Sydney Rasch

Sydney Rasch
Counsel for Creditor



Mark T. McCarty
Chapter 13 Standing Trustee

/s/ Kevin Keech

Kevin P. Keech
Attorney for Debtor